

MINUTES
HOUSE STATE AFFAIRS COMMITTEE

DATE: Wednesday, February 17, 2021

TIME: 9:00 A.M.

PLACE: Room EW40

MEMBERS: Chairman Crane, Vice Chairman Armstrong, Representatives Palmer, Barbieri, Holtzclaw, Monks, Scott, Andrus, Young, Furniss, Hanks, Skaug, Gannon, Mathias

**ABSENT/
EXCUSED:** Rep. Palmer

GUESTS: None

Rep. Barbieri called the meeting to order at 9:00 a.m.

RS 28575: **Chairman Crane** presented **RS 28575** which would put two exemptions in Idaho code. The first exemption would allow firefighters to replace smoke detectors and carbon monoxide detectors in one and two family dwellings. Secondly, it would provide an exemption for the installation or replacement of a fire alarm panel communication device.

Chairman Crane declared Rule 80 stating a possible conflict of interest and stated he would be voting on the motion. He said every fire alarm is required to transmit to a monitoring company. Cellular devices have to be upgraded approximately every four years at a cost of \$600 - \$800 and it is expensive for the end user. This proposed legislation covers both cellular and radio technology. With these exemptions written into code, local government will not be able to override this law.

In response to questions, **Chairman Crane** stated currently, firemen can inform a family that their smoke detector or carbon monoxide detector is not working but they cannot replace either one. Fire code is highly regulated. This proposed legislation does not prohibit a fire department from charging for this service. It is a service that helps build positive community relations. Oftentimes, product is donated to the fire departments.

MOTION: **Rep. Monks** made a motion to introduce **RS 28575**. **Motion carried by voice vote.**

H 104: **Rep. Giddings** presented **H 104**. This legislation will amend Idaho Code Section 67-6611, including a requirement for the identity of the candidate or measure being impacted by an expenditure to be reported.

MOTION: **Rep. Crane** made a motion to send **H 104** to the floor with a **DO PASS** recommendation.

During discussion, **Jason Hancock**, Deputy Secretary of State said the proposed change does not create any challenges. The Secretary of State's office is already working on the modification.

**VOTE ON
MOTION:** **Motion carried by voice vote.** **Rep. Giddings** will sponsor the bill on the floor.

H 107: **Rep. Andrus** presented **H 107**. This bill will create a savings clause, similar to that contained in the RULONA legislation in 1.C 51-126, for documents acknowledged and recorded prior to the enactment of RULONA. This is done by adding a subsection to 1.C. 55-805 which provides any document recorded prior to July 1, 2017 is conclusive evidence of the validity of the document's acknowledgement. This would prevent an attack on the validity of a document's acknowledgement, similar to which occurred in the Federal Bankruptcy Case.

The process of getting something notarized involves identifying an individual, witnessing the signature and getting verbal acknowledgement that they signed the document. This legislation covers all documents notarized prior to 2017 and secures them so they cannot be called into question.

MOTION: **Rep. Hotzclaw** made a motion to send **H 107** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Andrus** will sponsor the bill on the floor.

RS 28560: **Rep. Young** presented **RS 28560** to provide definitions for Title 46, Chapter 10 of the State Disaster Preparedness Act. It is designed to draw a clean line of separation between disasters that require military authority and those that are natural disasters. This proposed legislation defines terms such as Disaster, Emergency, Militia, Epidemic, and others. The change in definition to the word Militia was made to align with the OEM's definition, established before the COVID-19 pandemic.

In response to questions, **Rep. Young** stated this proposed legislation is not intended to limit the Governor's powers. It establishes a clear line between acts of violence and other types of disasters. The Office of Emergency Management (OEM) has different annexes to address different types of disasters but the response is the same, regardless of how or why the disaster occurred. There is proposed legislation in the Senate dealing with other portions of the Disaster Preparedness Act.

MOTION: **Rep. Scott** made a motion to introduce **RS 28560**.

SUBSTITUTE MOTION: **Rep. Gannon** made a substitute motion to **RETURN RS 28560** to sponsor. **Motion failed by voice vote.**

During discussion, a member of the committee stated he has no interest in limiting the power of the Governor in responding to acts of terrorism. **Chairman Crane** said he spoke with House leadership and was told the House State Affairs Committee is not too early in introducing this bill. Committee members are interested in hearing from OEM and seeing the other Senate bills to ensure that the legislature is consistent with its desire to be involved in disasters and emergencies. It was stated Idaho is one of the only states that does not have parameters on the Governor being able to call in the militia.

VOTE ON MOTION: **Motion carried by voice vote.** **Rep. Gannon** requested to be recorded as voting **NAY**.

ADJOURN; There being no further business to come before the committee, the meeting was adjourned at 9:38 a.m.

Rep. Barbieri
Chair

Kelly Staskey
Secretary